



PUBLIC NOTICE

US Army Corps
of Engineers
Albuquerque District
4101 Jefferson Plaza, NE
Albuquerque, NM 87109-3435

Fax No. 505-342-3498

cespa-od-r@usace.army.mil

Permit Application No:	Date:
2004 00406	October 5, 2004
Phone:	Suspense Date:
(505) 342-3280	October 26, 2004
In Reply Refer to:	
District Engineer, ATTN: CESPA-OD-R	

PERMIT APPLICATION UNDER SECTION 404 OF THE CLEAN WATER ACT (33 USC 1344)

Summary of Proposed Project: We are requesting public comment on the following project before the above suspense date. The application is for a permit to place dredged and fill material into the Rio Grande, in conjunction with the removal of several islands, within the Pueblo of Isleta, Valencia County, New Mexico. Details of the proposed project are provided below.

Name of Applicant: Pueblo of Isleta, P.O. Box 1270, Isleta, New Mexico 87022-1270, phone 505-724-9234 (Cody Walker, point of contact).

Location: The project is located in the Rio Grande within the Pueblo of Isleta, Valencia County, New Mexico, in Section 24, Township 8 North, Range 2 East (34° 54.17' N Latitude, 106° 41.18' W Longitude).

Description of Work: The proposed project involves the removal of several islands below the Isleta Diversion Dam. All work will be conducted when the flow through the Isleta Diversion Dam is less than 100 cubic feet per second (cfs). To divert flows away from the work areas at the beginning of construction, a pilot channel will be constructed with a bulldozer along the west bank of the channel from the 0.3-acre island immediately below the Isleta Diversion Dam downstream to Island 6. Approximately 14,000 cubic yards (cys) will be moved during this process. The excavated material will be pushed onto the adjacent islands parallel to the west bank and removed with scrapers. A dike, approximately 100-feet long by 10-feet wide by 8-feet high, will then be constructed with a bulldozer to divert flows into the pilot channel. This dike will be constructed from the upstream end of Island 1 to the upstream end of Island 3. The material for the dike will be obtained from Island 3. At the end of each season's excavation work, the

dike will be removed by scrapers and the dike material will be placed into an existing disposal area, as described below.

Two ramps will be constructed (using a bulldozer, loader, or excavator) along the east bank of the Rio Grande to provide access for equipment. The first ramp will be constructed downstream of the Peralta (irrigation) Heading and the second ramp will be constructed approximately 3/4 mile downstream. The ramps will be approximately 30-feet wide by 15-feet long and will be from 6-foot to 8-foot high (from the river's surface to the top of the bank). Approximately 100 cys of bank material will be pushed into the river for each of the ramps. This material will be removed and the bank contoured to the original bank profile upon completion of each year's construction period.

Once the ramps are in place, bulldozers with rake and root plow attachments will remove the vegetation from the selected islands. The vegetation will be pushed into piles and loaded into articulating trucks for removal from the islands. The island soils will then be raked and ripped to destabilize the soils. Scrapers will remove the de-stabilized soils from the islands and will deposit this material within an existing 70-acre disposal site located on the east side of the Rio Grande approximately 1/3 mile south of the irrigation head works. The Isleta Pueblo Hydrology Department will direct the scraper operators to remove material until groundwater is encountered. The islands to be removed range from 0.8 acres to 3.0 acres in area (total island area is 11.4 acres) and from 2 to 5 feet in height.

The total quantity of fills to be placed or moved below the ordinary high water mark of the Rio Grande over the life of the project is estimated to be approximately 144,500 cys. This estimate includes the material to be used for dike and ramp construction, the material moved for the pilot channel, and the material stockpiled and moved during the island removal work. The island removal work is expected to begin at some point in 2004 or 2005 after permit issuance and is estimated to take until August 2007 to complete.

Purpose and Need: The stated purposes of the project by the applicant are to restore the Rio Grande within the Pueblo of Isleta to its historical and traditional condition; to enhance the habitat within the Rio Grande for the Rio Grande silvery minnow; and to, possibly, re-connect the river to the shallow aquifer at the project site (an effect which the applicant hopes could result in a net gain of water to this reach of the Rio Grande).

Related Work: As a first phase of their island removal work, the Pueblo of Isleta is attempting to remove one of the large islands just downstream of

NEWS RELEASE

the Isleta Diversion Dam without excavation. This first phase (Phase 1) involves the removal of vegetation and the de-stabilization of the island soils using a bulldozer-mounted ripper. After the soils on the island have been de-stabilized, the Middle Rio Grande Conservancy District (MRGCD) will operate the Isleta Diversion Dam in an attempt to mobilize the soil on the island. This Phase 1 work does not require Section 404 authorization, since the work does not involve the placement of dredged or fill material below the ordinary high water mark of the Rio Grande. The project described in this public notice is Phase 2 of the island removal project.

Plans and Data: Drawings showing the location of the work site and other data are enclosed with this notice. If additional information is desired, it may be obtained from the applicant, or from:

James Wood
Albuquerque District, Corps of Engineers
4101 Jefferson Plaza, NE
Albuquerque, NM 87109-3435
(505) 342-3280

Statement of Findings: The National Register of Historic Places has been consulted and no properties listed in the Register are present at the site of the proposed construction. The proposed work will occur on recently-formed islands within the Rio Grande and the excavated soils will be placed into an existing disposal site, therefore, impacts to cultural resources are not anticipated. It is possible, however, that presently unknown archeological, scientific, prehistoric, or historic data may be inadvertently lost or destroyed by the work accomplished under the requested permit. In the event that cultural resources are found, the work will stop at the site of the discovery and the New Mexico State Historic Preservation Officer will be contacted for advice on the appropriate action to be taken.

The following is a list of endangered (E) and threatened (T) species and/or critical habitat (CH) for Valencia County, New Mexico:

Bald Eagle (*Haliaeetus leucocephalus*) - T
Black-Footed Ferret (*Mustela nigripes*) - E
Mexican Spotted Owl (*Strix occidentalis lucida*) - T/CH
Rio Grande Silvery Minnow (*Hybognathus amarus*) - E/CH
Southwestern Willow Flycatcher (*Empidonax traillii extimus*) - E
Whooping Crane (*Grus americana*) - E

Pecos Sunflower (*Helianthus paradoxus*) - T

The islands which will be removed are vegetated with woody and herbaceous vegetation. However, preliminary information obtained from the Pueblo of Isleta indicates that the islands do not presently provide habitat for the southwestern willow flycatcher. The proposed work will be coordinated with the U.S. Fish and Wildlife Service to verify this determination. The project may benefit the Rio Grande silvery minnow by creating additional wide and shallow river habitat. Our preliminary review indicates this project will have no effect the southwestern willow flycatcher; and, based on the measures incorporated into the project, the proposed project may affect, but is not likely to adversely affect the Rio Grande silvery minnow or its designated critical habitat. The project should not adversely impact any of the remaining threatened or endangered species or their critical habitat listed for Valencia County.

The applicant must obtain a certification from the Isleta Water Quality Program to ensure that this work is in compliance with applicable tribal water quality standards. The applicant is responsible for obtaining all other required Federal and local authorizations for this work.

In accordance with environmental procedures and documentation required by the National Environmental Policy Act of 1969, an environmental assessment will be prepared for this project. Upon completion, the assessment may be seen at the Albuquerque District Office, U.S. Army Corps of Engineers, at the address given above.

Comment: Any comments concerning this project should be received by the District Engineer no later than October 26, 2004. Comments received after the end of the Public Notice comment period will not be considered. However, more time may be given if a request, with a valid reason, is received prior to the suspense date. The Corps of Engineers is soliciting comments from the public; Federal and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed below. Comments are used in the preparation of an Environmental Assessment and/or an Environmental

Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The evaluation of the impact of this activity will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act. All factors relevant to the proposal and the cumulative effects will be considered; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

At the request of the Department of Public Safety, Emergency Management Preparedness, State Coordinator, we are sending a copy of this notice to the local flood plain administrator to apprise the administrator of proposed development within their jurisdiction. In accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. The local Flood Plain Administrator is required to perform this review for all proposed development and maintain records of such review. You may contact:

Department of Public Safety
State Floodplain Coordinator
Attn: Mr. Bill Borthwick
email: wborthwick@dps.state.nm.us
Phone: 505-476-9617

404(b)(1) guidelines, he will grant the permit unless issuance would be contrary to the public interest.

Any person may request a public hearing. The request must be submitted, in writing, to the District Engineer within 21 days of the date of this notice and must clearly set forth the reasons for holding a public hearing.

Todd Wang
Lieutenant Colonel, U.S. Army
District Engineer

Enclosure

If the District Engineer determines that the project complies with the